

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

Claims 10-23 stand rejected under 35 USC 112, second paragraph, as allegedly failing to comply with the written description requirement. Specifically, the rejection objects that claims 10 and 17 refer to only the flow parameters.

For reasons set forth herein, it is respectfully suggested that while the word "only" is not used, the equations used in the specification clearly express that the formation number is in fact only dependent on 3 parameters. Claims 10 and 17 have been amended to clarify that only these 3 parameters are used to determine the formation number.

One embodiment, for example, discloses using the formation number, which is dimensionless number, to characterize information indicative of the patient. See for example paragraphs 21, 22 and 28-31 of the specification. The formation number is defined as being a non-dimensional parameter of $T \cdot U / D_m$, where T is a time, U is a velocity, and DM is information indicative of the size of the annulus.

Claim 10, for example, describes determining flow parameters. The flow parameters recited in claim 10 include an amount of flow over time in an annulus, and information indicative of a size of the annulus.

Upon reviewing the specification, and specifically paragraph 28, it was noticed that the flow parameters actually also include the time for diastolic filling. Accordingly, the claims are amended herewith to add that additional limitation.

As amended, claim 10 defines using only the three parameters, which are the only parameters in the equation 30: T (the diastolic filling.) ; U (the average velocity of the filling), and Dm (the equivalent diameter of the annulus). They should obviate the objection based on section 112 to claim 10. Claim 17 has been amended in a similar way, and should be allowable for analogous reasons.

Having overcome will the rejections remaining in the case, applicants respectfully suggest that this should render all claims allowable.

Therefore, each of these claims should be allowable for these reasons.

The dependent claims not specifically mentioned herein should each be allowable over the prior art on their own merits.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be

exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

For all of these reasons, it is respectfully suggested that all of the claims should be in condition for allowance. A formal notice of allowance is hence respectfully requested.

If the Examiner believes that communications such as a telephone interview or email would facilitate disposal of this case, the undersigned respectfully encourages the Examiner to contact the undersigned.

Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail (using the email address harris@schiplaw.com). I understand that a copy of these communications will be made of record in the application file.

Please charge any fees due in connection with this response, (including any fees concurrently paid via EFS), to Deposit Account No. 50-4376, small entity.

Respectfully submitted,

Date: _6/18/2008_____ _/Scott C Harris/_____
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